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EXAMINER	
SHELTON, BRIAN K	

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/679,721	REID, GLENN	
	Examiner	Art Unit	
	Brian Shelton	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 October 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 October 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Action is in response to the Application filed 4 October 2000.

2. The Application has been examined. **Original claims 1-34** are pending. The rejections cited are as stated below:

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-3, 17-20, 22-24, and 28-30** are rejected under 35 U.S.C. 102(e) as being anticipated by Abe, U.S. Patent No. 6,714,216.

Regarding **claims 1, 22 and 28**, Abe discloses a method, a corresponding processing system, and a corresponding computer readable medium for destructively editing a time based stream of information in a processing system (Fig. **12**), comprising:

a) storing the time based stream of information (video clip and corresponding audio clip) in storage (Fig. **2**, External Storage Apparatus **22**) (encoding and storage of video data **D1**, col. 5, line 55 – col. 6, line 26; encoding corresponding audio data **D2**, col. 6, lines 47-57; see col. 13, line 38 – col. 16, line 29 describing production of video clip and corresponding audio clip from stored video data **D1** and audio data **D2**);

b) selecting a portion of the time based stream of information (user selection of in-point and out-point of clip, col. 16, line 30 – col. 17, line 12);

c) receiving a user deletion command (entry of deletion mode, col. 17, lines 13-40); and

d) deleting the portion from the storage in response to the user deletion command (col. 17, lines 18-40, whereby delete action is confirmed and External Storage Apparatus **22** is controlled to delete the designated portion of video clip and corresponding audio clip).

As for **claims 2, 23, and 29**, Abe discloses providing reference data (time code data) corresponding to the stored time based stream of information and wherein the selecting is by extracting the reference data from at least a portion of the reference (col. 17, lines 18-40, wherein the time code data corresponding to the portion of the clip selected by the user is deleted).

As for **claims 3, 24 and 30**, Abe discloses the reference forms at least one new reference with reference data to the remaining time based stream of information (col. 17, lines 18-40, wherein time code data (reference data) is inherently rewritten as a result of a selected portion of the clip being deleted (e.g., if a beginning portion of the clip is deleted, then the portion of the clip immediately following the portion deleted would necessarily be indicated as the beginning point of the clip).

Regarding **claim 17**, Abe discloses a time based stream of information processing system (Fig. **2**) comprising:

a) a capture port (Fig. **2**, A/D **19** and VRAM **20**) for acquiring time based stream of information (encoding and storage of video data **D1**, col. 5, line 55 – col. 6, line 26; encoding corresponding audio data **D2**, col. 6, lines 47-57; see col. 13, line 38 – col. 16, line 29 describing production of video clip and corresponding audio clip from stored video data **D1** and audio data **D2**);

b) a storage (Fig. **2**, External Storage Apparatus **22**) for storing the time based stream of information (col. 6, lines 20-26 and lines 52-57);

c) a display device (Fig. **2**, Monitor **26**, col. 7, lines 37-46); and

d) a processor (Host Computer **15** of Fig. **2**, which inherently discloses a CPU) for selecting a portion of the time based stream of information and

deleting the portion from storage in response to a user deletion command (col. 17, lines 10-40).

As for **claim 18**, Abe discloses the display device includes a deletion control (Deletion process presented in video browser **25** and displayed on Monitor **26**, col. 17, lines 10-40).

As for **claim 19**, Abe discloses the storage further includes at least one reference data (time code data) corresponding to the time based stream of information and the processor is further for deleting the reference data reference (col. 17, lines 18-40, wherein the time code data corresponding to the portion of the clip selected by the user is deleted).

As for **claim 20**, Abe discloses the processor is further for forming at least one new reference with reference data to the remaining time based stream of information after deleting the data (col. 17, lines 18-40, wherein time code data (reference data) is inherently rewritten as a result of a selected portion of the clip being deleted (e.g., if a beginning portion of the clip is deleted, then the portion of the clip immediately following the portion deleted would necessarily be indicated as the beginning point of the clip).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claims 4, 25, and 31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Abe, U.S. Patent No. 6,714,216 in view of Chao et al. (Chao), U.S. Patent No. 5,732,184.

As for **claims 4, 25, and 31**, although Abe discloses selecting a portion of a clip (i.e., time based stream of information) designated by a mark-in point and a mark-out point (e.g., to select a portion of the clip between the beginning and end of the clip) and deleting the selected portion (see discussion above relative to claims 1, 22, and 28), Abe fails to specifically disclose the reference splits into a first new reference corresponding to the information prior to the extracted data and a second new reference corresponding to the information after the extracted reference data (e.g., Abe does not specifically disclose that two separate clips result from the editing operation).

However, Chao, in an analogous art, teaches editing video clips incorporating a slicing operation wherein a clip is divided into two separate clips (col. 5, line 64 – col. 6, line 53 and Figs. **4A and 4B**). Editing a video clip to

produce two separate clips inherently discloses a first new reference corresponding to information prior to the slicing point and a second new reference corresponding to information after the extracted reference data to allow for editing of the clips separately. The slicing operation taught by Chao provides the benefit of allowing a clip to be separated for other video clip data to be inserted between the sliced portions (see col. 6, lines 50-53).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the editing process of Abe to incorporate the reference splits into a first new reference corresponding to the information prior to the extracted reference data and a second new reference corresponding to the information after the extracted reference data, as taught by Chao, for the benefit of allowing a clip to be separated for other video clip data to be inserted between the sliced portions in a time based stream editing system.

7. **Claims 5-6, 21, 26 and 32-33** are rejected under 35 U.S.C. 103(a) as being unpatentable over Abe, U.S. Patent No. 6,714,216 in view of Gamon, U.S. Patent No. 6,345,318.

As for **claims 5 and 32**, the disclosure of Abe is relied upon a discussed above relative to claims 2 and 29. Abe fails to disclose depositing the extracted reference data in a trash depository prior to deletion, as claimed.

However, Gamon, in an analogous art, teaches a trash depository (e.g., Recycle Bin **415** of Fig. **4**) wherein objects selected for deletion are stored prior to permanently deleting the data from storage, wherein further, the deleting action may be cancelled (i.e., the object restored) if the user subsequently decides the object selected for deletion is needed or the user may permanently delete the object by emptying the recycle bin (col. 7, lines 13-38). The implementation of a trash depository function is notoriously well-known in operating systems and application software that provides the typical and well-known benefit of enabling a user to restore data previously selected to be deleted (i.e., to reverse a deletion action).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the deleting step of Abe to incorporate including depositing corresponding reference data in a trash depository prior to deleting the information, as taught by Gamon, for the typical and well-known benefit of enabling a user to restore data previously selected to be deleted.

As for **claims 6, 26 and 33**, the disclosure of Abe is relied upon as discussed above relative to claims 1, 22 and 28. Although Abe discloses controlling a storage apparatus to delete a selected clip (see above), Abe fails to specifically disclose the deleting portion is by permanently eliminating the information from storage, as claimed.

However, Gamon, in an analogous art, teaches a trash depository (e.g., Recycle Bin **415** of Fig. **4**) wherein objects selected for deletion are stored prior to permanently deleting the data from storage, wherein further, the deleting action may be cancelled (i.e., the object restored) if the user subsequently decides the object selected for deletion is needed or the user may permanently delete the object by emptying the recycle bin (col. 7, lines 13-38). The implementation of a trash depository function is notoriously well-known in operating systems and application software that provides the typical and well-known benefit of enabling a user to restore data previously selected to be deleted (i.e., to reverse a deletion action).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the deleting step of Abe to incorporate the deleting portion is by permanently eliminating the information from storage, as taught by Gamon, for the typical and well-known benefit of enabling a user to restore data previously selected to be deleted.

As for **claim 21**, the disclosure of Abe is relied upon as discussed above relative to claim 17. Abe fails to disclose the storage further includes a trash depository for temporarily storing the reference prior to deleting the portion, as claimed.

However, Gamon, in an analogous art, teaches a trash depository (e.g., Recycle Bin **415** of Fig. **4**) wherein objects selected for deletion are stored prior

to permanently deleting the data from storage, wherein further, the deleting action may be cancelled (i.e., the object restored) if the user subsequently decides the object selected for deletion is needed or the user may permanently delete the object by emptying the recycle bin (col. 7, lines 13-38). The implementation of a trash depository function is notoriously well-known in operating systems and application software that provides the typical and well-known benefit of enabling a user to restore data previously selected to be deleted (i.e., to reverse a deletion action).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the deleting step of Abe to incorporate a trash depository for temporarily storing the reference prior to deleting the portion, as taught by Gamon, for the typical and well-known benefit of enabling a user to restore data previously selected to be deleted.

8. **Claims 7, 27, and 34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Abe, U.S. Patent No. 6,714,216.

As for **claims 7, 27, and 34**, Official Notice is taken that both the concept and advantages of defining storage space hold data which has been deleted as available for use are well-known and expected in the art. Computer operating systems typically incorporate file allocation operations to manage the utilization of storage devices, such as hard disk drives. Thus, when a file, or portion of a

file or other data object (e.g., portion of an audio or video clip), is deleted by a user, the storage space occupied by the deleted data is allocated for reuse by the operating system. Allocating storage space for reuse is necessary in computer systems in order to allow the finite storage capacity to be utilized for storage of new data after existing data is deleted.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the deleting of Abe to incorporate defining storage space holding at least a portion of the information as available for reuse for the benefit of allowing the finite storage capacity to be utilized for storage of new data after existing data is deleted.

9. **Claims 8, 11, 13 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Abe, U.S. Patent No. 6,714,216 in view of Sacilito, Jr. et al. (Sacilito), U.S. Patent No. 6,763,523.

Regarding **claim 8**, Abe discloses a method for managing storage in a processing system (Fig. **12**), comprising:

a) storing a time based stream of information (video clip and corresponding audio clip) in storage (Fig. **2**, External Storage Apparatus **22**) (encoding and storage of video data **D1**, col. 5, line 55 – col. 6, line 26; encoding corresponding audio data **D2**, col. 6, lines 47-57; see col. 13, line 38 – col.

16, line 29 describing production of video clip and corresponding audio clip from stored video data **D1** and audio data **D2**);

b) selecting at least a portion of the time based stream of information in response to a user selection command (user selection of in-point and out-point of clip, col. 16, line 30 – col. 17, line 12);

c) deleting the portion from the storage (col. 17, lines 18-40, whereby delete action is confirmed and External Storage Apparatus **22** is controlled to delete the designated portion of video clip and corresponding audio clip).

Abe fails to disclose the step of determining whether the portion is represented by more than one reference data corresponding to the time based stream of information and deleting the portion from storage if the portion is not represented by more than one reference data, as claimed.

However, Sacilito, in an analogous art, teaches determining whether a selected clip (i.e., portion of time based stream of information) is represented by more than one reference data (reference count for each clip, indicating whether clip is "in use") and deleting the portion from a storage if the portion is not represented by more than one reference data (i.e., the reference count for the clip is zero) (deletion of clip when not referenced, i.e., reference count is zero and storage device is greater than 50% full, col. 8, lines 25-60) for the benefit of enhancing audio/video editing operations by preventing data currently in use in a multimedia presentation from being deleted.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the editing method of Abe to incorporate determining whether the portion is represented by more than one reference data corresponding to the time based stream of information and deleting the portion from storage if the portion is not represented by more than one reference data, as taught by Sacilito, for the benefit of enhancing audio/video editing operations by preventing data currently is use in a multimedia presentation from being deleted in a storage management method.

The limitation of **claim 11** is encompassed by the teachings of Abe in view of Sacilito, as discussed above relative to claim 8. Specifically, Abe discloses the selecting is by extracting the reference data from at least a portion of the reference (col. 17, lines 18-40, wherein the time code data corresponding to the portion of the clip selected by the user is deleted).

The limitation of **claim 13** is encompassed by the teachings of Abe in view of Sacilito, as discussed above relative to claim 11. Specifically, Abe discloses the reference forms at least one new reference with reference data to the remaining time based stream of information (col. 17, lines 18-40, wherein time code data (reference data) is inherently rewritten as a result of a selected portion of the clip being deleted (e.g., if a beginning portion of the clip is deleted, then the

portion of the clip immediately following the portion deleted would necessarily be indicated as the beginning point of the clip).

As for **claim 16**, Official Notice is taken that both the concept and advantages of defining storage space hold data which has been deleted as available for use are well-known and expected in the art. Computer operating systems typically incorporate file allocation operations to manage the utilization of storage devices, such as hard disk drives. Thus, when a file, or portion of a file or other data object (e.g., portion of an audio or video clip), is deleted by a user, the storage space occupied by the deleted data is allocated for reuse by the operating system. Allocating storage space for reuse is necessary in computer systems in order to allow the finite storage capacity to be utilized for storage of new data after existing data is deleted.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the deleting of Abe in view of Sacilito to incorporate defining storage space holding at least a portion of the information as available for reuse for the benefit of allowing the finite storage capacity to be utilized for storage of new data after existing data is deleted.

10. **Claims 9, 10 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Abe, U.S. Patent No. 6,714,216 in view of Sacilito, Jr. et al. (Sacilito), U.S. Patent

No. 6,763,523 as applied to claim 8, further in view of Gamon, U.S. Patent No. 6,345,318.

As for **claims 9, 10 and 15**, the teachings of Abe in view of Sacilito are relied upon as discussed above relative to claim 8. Abe in view of Sacilito fails to disclose depositing corresponding reference data in a trash depository prior to deleting the information, wherein the deleting is further if a cancel command is not received, and wherein the deleting is by permanently eliminating the information from storage, as claimed.

However, Gamon, in an analogous art, teaches a trash depository (e.g., Recycle Bin **415** of Fig. **4**) wherein objects selected for deletion are stored prior to permanently deleting the data from storage, wherein further, the deleting action may be cancelled (i.e., the object restored) if the user subsequently decides the object selected for deletion is needed or the user may permanently delete the object by emptying the recycle bin (col. 7, lines 13-38). The implementation of a trash depository function is notoriously well-known in operating systems and application software that provides the typical and well-known benefit of enabling a user to restore data previously selected to be deleted (i.e., to reverse a deletion action).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the deleting step of Abe in view of Sacilito to incorporate including depositing corresponding reference data in a

trash depository prior to deleting the information, wherein the deleting is further if a cancel command is not received, and wherein the deleting is by permanently eliminating the information from storage, as taught by Gamon, for the typical and well-known benefit of enabling a user to restore data previously selected to be deleted.

11. **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over Abe, U.S. Patent No. 6,714,216 in view of Sacilito, Jr. et al. (Sacilito), U.S. Patent No. 6,763,523, as applied to claim 11, further in view of Gamon, U.S. Patent No. 6,345,318.

As for **claim 12**, Abe in view of Sacilito fails to disclose wherein if a cancel command is received, the extracted reference data is replaced in the reference and the portion is not deleted, as claimed.

However, Gamon, in an analogous art, trash depository (e.g., Recycle Bin **415** of Fig. **4**) wherein objects selected for deletion are stored prior to permanently deleting the data from storage, wherein further, the deleting action may be cancelled (e.g., the object restored along with corresponding reference data to the portion selected for deletion) if the user subsequently decides the object selected for deletion is needed (e.g., canceling the deletion command) or the user may permanently delete the object by emptying the recycle bin (col. 7, lines 13-38). The implementation of a trash depository function is notoriously well-known in operating systems and application software that provides the

typical and well-known benefit of enabling a user to restore data previously selected to be deleted (i.e., to reverse a deletion action).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the deleting step of Abe in view of Sacilito to incorporate wherein if a cancel command is received, the extracted reference data is replaced in the reference and the portion is not deleted, as taught by Gamon, for the benefit of enabling a user to restore data previously selected to be deleted (i.e., to reverse a deletion action).

12. **Claim 14** is rejected under 35 U.S.C. 103(a) as being unpatentable Abe, U.S. Patent No. 6,714,216 in view of Sacilito, Jr. et al. (Sacilito), U.S. Patent No. 6,763,523, as applied to claim 13, further in view of Chao et al. (Chao), U.S. Patent No. 5,732,184.

As for **claim 14**, although Abe discloses selecting a portion of a clip (i.e., time based stream of information) designated by a mark-in point and a mark-out point (e.g., to select a portion of the clip between the beginning and end of the clip) and deleting the selected portion (see discussion above relative to claims 11 and 13), Abe in view of Sacilito fails to specifically disclose the reference splits into a first new reference corresponding to the information prior to the extracted data and a second new reference corresponding to the information after the extracted reference data (e.g., Abe does not specifically disclose that two separate clips result from the editing operation).

However, Chao, in an analogous art, teaches editing video clips incorporating a slicing operation wherein a clip is divided into two separate clips (col. 5, line 64 – col. 6, line 53 and Figs. **4A and 4B**). Editing a video clip to produce two separate clips inherently discloses a first new reference corresponding to information prior to the slicing point and a second new reference corresponding to information after the extracted reference data to allow for editing of the clips separately. The slicing operation taught by Chao provides the benefit of allowing a clip to be separated for other video clip data to be inserted between the sliced portions (see col. 6, lines 50-53).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the editing process of Abe in view of Sacilito to incorporate the reference splits into a first new reference corresponding to the information prior to the extracted reference data and a second new reference corresponding to the information after the extracted reference data, as taught by Chao, for the benefit of allowing a clip to be separated for other video clip data to be inserted between the sliced portions in a time based stream editing system.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Asai et al., U.S. Patent No. 6,710,785 discloses a video editing system for editing source video data incorporating segmentation of the source video data into scenes or clips and providing for assembling the segmented data to form an edited video program (abstract, col. 2, line 20 – col. 3, line 63; see Fig. **20** and col. 14, line 16 – col. 17, line 36).

Bullock et al., U.S. Patent No. 5,943,050 discloses a method for controlling and displaying captured image data including means to discard the stored images wherein the discarded images are further retained to allow the maximum reversibility of discard decisions (abstract, see col. 6, lines 14-46).

Snook, U.S. Patent No. 6,400,378 discloses a home movie editor operable on a personal computer wherein a user employs a cursor and control device to edit audio/video clips and, further, where clips may be trimmed and the frames trimmed are not permanently deleted so as to enable a user to reverse the deletion of the trimmed frames (abstract; see col. 5, lines 14-29).

Foreman et al., U.S. Patent No. 6,628,303 discloses a user interface for a video editing system incorporating various editing functions, such as trimming, deleting clips, inserting clips and moving the location of clips (abstract, col. 11, line 46 – col. 17, line 33).

Kusangi, U.S. Patent No. 6,670,966 discloses an edit data creation apparatus including a clip deletion procedure (abstract, col. 14, line 1 – col. 22, line 67).

Klingler et al., U.S. Patent No. 5,404,316 discloses an editing apparatus wherein audio/video data is registered prior to editing and selected clips are manipulated by user interaction (abstract, col. 7, line 52 – col. 13, line 3).

Kushizaki, U.S. Patent No. 6,134,380 discloses a digital image processing system with edit capabilities for manipulating audio/video clips, including "Undo", "Cut", "Copy" and "Clear" commands (abstract, col. 10, lines 24-43).

Yawtiz, U.S. Patent No. 6,597,375 discloses a user interface for video editing wherein a portion of a video clip may be selected by a user and subsequently saved as file (which inherently discloses the capability to overwrite the existing file, thereby deleting a selected portion) (abstract, col. 2, line 66 – col. 4, line 60).

14. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Shelton whose telephone number is (703) 305-8714. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brian Shelton
Examiner
Art Unit 2611

CHRIS GRANT
PRIMARY EXAMINER